

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X

EMANUELE D'IPPOLITO,  
Plaintiff,

Index No. CV-13-5650

-against-

**ANSWER TO  
COUNTERCLAIMS**

AUTO EXPO ENT INC.  
and GREAT NECK SUZUKI ,

Defendants,

-----X

Plaintiff, Emanuele D'Ippolito for his answer to the Counterclaims of defendants Auto Expo Ent Inc. and Great Neck Suzuki states as follows in response to the allegations made against them. All allegations not specifically addressed herein are denied.

1. Plaintiff admits that he entered into a contract with Auto Expo Ent Inc. AND Great Neck Suzuki.
2. Plaintiff admits the allegations contained in paragraph 43 of the counterclaims.
3. Plaintiff denies the allegations contained in paragraph 44 of the counterclaims.
4. Plaintiff denies the allegations contained in paragraph 45 of the counterclaims.
5. Plaintiff denies the allegations contained in paragraph 46 of the counterclaims.
6. Plaintiff denies the allegations contained in paragraph 47 of the counterclaims.
7. Plaintiff denies the allegations contained in paragraph 48 of the counterclaims.
8. Plaintiff denies the allegations contained in paragraph 49 of the counterclaims.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

9. The counterclaims fail to state a claim for which relief can be granted.
10. The allegations contained in paragraph 49 of the counterclaims.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

11. Upon information and belief defendants have failed to mitigate their damages.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

12. Defendants' counterclaims are barred by the doctrine of unclean hands.

AS AND FOR A FOURTH AFFIRMATIVE DEFENSE

13. Defendants' counterclaims are barred by waiver and/or estoppel.

Dated: November 12, 2013  
Long Island City, NY

/s/\_\_\_\_\_  
David M. Kasell, Esq. (DK-7753)  
KASELL LAW FIRM  
*Attorney for Plaintiff. Counterclaim  
Defendant*  
1038 Jackson Ave., #4  
Long Island City, NY 11101  
(718) 404-6668

To: